

-BEFORE THE UTAH PUBLIC SERVICE COMMISSION-

-----

In the matter of the Request of Utah Power	)	<u>DOCKET NO. 05-035-78</u>
and Light for an Exemption from the	)	
Security Deposit Criteria for IRENE	)	
VASQUEZ	)	<u>REPORT AND ORDER</u>

-----

ISSUED: September 26, 2005

By The Commission:

On August 23, 2005, Utah Power and Light (“Utah Power”) filed a request pursuant to its Electric Service Regulation No. 9 seeking exemption from the security deposit criteria contained in Electric Service Schedule No. 300 to permit Utah Power to charge Respondent Irene Vasquez a security deposit in the amount of \$400.00. Utah Power bases its request on Respondent’s failure to pay for electric service rendered, numerous checks returned for non-sufficient funds, repeated bankruptcy filing, and analysis of Respondent’s account indicating a peak billing of approximately \$400.00 for two months’ usage.

Utah Power’s Electric Service Schedule No. 300 establishes the amount of a security deposit that may be charged by Utah Power as the lesser of the customer’s estimated 60-day peak billing at the premises or \$150.00. Electric Service Regulation No. 9, section 1(b), authorizes Utah Power to apply to the Commission for an exemption permitting Utah Power to charge an amount larger than that specified in Schedule 300. Utah Power claims the \$150.00 deposit cap is not sufficient to provide adequate assurance of payment given the above-noted

circumstances and the approximate 60-day lag between Respondent's use of service and Utah Power's ability to disconnect service. Respondent has failed to respond to Utah Power's request.

Therefore, based upon the foregoing information, and for good cause appearing, the Administrative Law Judge enters the following proposed

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. Utah Power and Light's request for exemption from its security deposit criteria to permit it to charge a security deposit of \$400.00 to Respondent IRENE VASQUEZ is approved.
2. Pursuant to *Utah Code Annotated* §§ 63-46b-12 and 54-7-15, agency review or rehearing of this order may be obtained by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of *Utah Code Annotated* §§ 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 26<sup>th</sup> day of September, 2005.

/s/ Steven F. Goodwill  
Administrative Law Judge

DOCKET NO. 05-035-78

-3-

Approved and Confirmed this 26<sup>th</sup> day of September, 2005, as the Report and  
Order of the Public Service Commission of Utah.

/s/ Ric Campbell, Chairman

/s/ Ted Boyer, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary

G#45882